

**DELEGATION OF AUTHORITY
CLEAN AIR ACT (CAA)**

Noncompliance Penalty: Agency Representation in Hearings
and Signing of Consent Agreements

1. AUTHORITY.

- a. To represent EPA in civil penalty adjudications conducted under the noncompliance penalty Section, Section 120(a) of the Clean Air Act and 5 U.S.C. Section 554;
- b. To negotiate consent agreements between the Agency and respondents resulting from such enforcement actions;
- c. [this authority not redelegated]; and
- d. To represent the agency in such appeals.

2. TO WHOM REDELEGATED. Through the Regional Counsel, Office of Regional Counsel, or equivalent, to the Branch Chiefs, Air, Toxics, and Information Law Branch, Land Law Branch, and Water Law Branch, or equivalents.

3. LIMITATIONS.

- a. Only the AA for OECA may exercise the authority to initiate appeals.
- b. The AA for OECA must notify the affected regional administrator, regional counsel, or branch chief before an appeal is initiated.
- c. The Agency official who signed the complaint should sign the settlement agreement.

4. REDELEGATION AUTHORITY.

- a. This authority may be redelegated to the branch chief level, or equivalent.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. SUPERSESSSION. This delegation supersedes R10 7-41-B (06/26/2017) and any other delegation of the same authority.

6. ADDITIONAL REFERENCES.

- a. Section 120 of the CAA.
- b. EPA Delegation 7-41-B.

June 27, 2019
Date



Chris Hladick
Regional Administrator